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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 ELVIS WAYNE JONES,

8 Plaintiff,

9 v.

10 US CONGRESS 1989-1996  
11 COMMITTEES, US DEPARTMENT  
12 OF JUSTICE OFFICIALS and US  
13 JUDICIAL CONVERENCE COURTS,

Defendants.

NO: 2:19-CV-0432-TOR

ORDER DISMISSING CASE

14 On December 30, 2019, Plaintiff Elvis Wayne Jones, a Texas state prisoner,  
15 filed a *pro se* civil rights complaint on the form provided by this Court, including  
16 attachments. ECF No. 1. Plaintiff did not pay the \$400 fee (\$350 filing fee, plus  
17 \$50 administrative fee) to commence this action or seek leave to proceed *in forma*  
18 *pauperis*.

19 Plaintiff presents no facts from which the Court could infer that the Eastern  
20 District of Washington is the appropriate venue for his claims. *See* 28 U.S.C. §

1 1391(b). None of the claims appear to have occurred here and none of the  
2 Defendants reside here. When venue is improper, the district court has the discretion  
3 to either dismiss the case or transfer it “in the interest of justice.” *See* 28 U.S.C. §  
4 1406(a). The Court finds that the interest of justice would not be served by  
5 transferring this case to another forum.

6 A review of other Court’s records indicate that Mr. Jones is precluded from  
7 proceeding *in forma pauperis* under 28 U.S.C. 1915(g), absent a showing that he is  
8 under imminent danger of serious physical injury. *See Jones v. Texas, et al.*, 7:08-  
9 CV-00196-0 (N.D. Tex.) (denying *in forma pauperis* status based upon three strikes,  
10 November 26, 2008); *Jones v. The 1996 Texas Attorney General, et al.*, 1:09-cv-  
11 00079-JMS-BMK (D. Hawaii) (denying *in forma pauperis* status based upon three  
12 strikes); *Jones v. City of Austin, et al.*, 3:09-cv-00077-JWS (D. Alaska, May 18,  
13 2009) (three strikes order prohibiting Mr. Jones from bringing any other actions  
14 without payment of fees in any federal court in the United States unless he can  
15 demonstrate he is in “imminent danger of serious physical injury.”). Therefore, even  
16 if Plaintiff had properly presented an application to proceed *in forma pauperis*, the  
17 Court cannot infer from his indecipherable assertions that Plaintiff has made the  
18 requisite showing. Consequently, transfer of this case to the District of Texas is not  
19 warranted.

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1 Accordingly, **IT IS HEREBY ORDERED:**

2 (1) This case is **DISMISSED** without prejudice. *See In re Hall*, 939 F.2d 802,  
3 804 (9th Cir. 1991).

4 (2) Any request to proceed *in forma pauperis* is **DENIED as moot**.


5 (3) All pending motions are **DENIED as moot**.

6 (4) The Court will not entertain any further briefing or motions, including  
7 motions to reconsider, in this **DISMISSED** and **CLOSED** case.

8 **IT IS SO ORDERED.** The Clerk of Court is **DIRECTED** to enter this Order,  
9 provide a copy to Plaintiff and **CLOSE** the file. The Court certifies pursuant to 28  
10 U.S.C. § 1915(a)(3) that any appeal of this Order would not be taken in good faith  
11 and would lack any arguable basis in law or fact.

12 **DATED** January 3, 2020.



  
THOMAS O. RICE  
Chief United States District Judge